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CITY OF YORBA LINDA



Land of Gracious Living

CITY COUNCIL/REDEVELOPMENT AGENCY JOINT MEETING AGENDA

FEBRUARY 3, 2009

Pursuant To Government Code Section 54954.2, No Matter Shall Be Acted Upon By The City Council/Redevelopment Agency Unless Listed On The Agenda Which Has Been Posted Not Less Than 72 Hours Prior To The Meeting

**CITY COUNCIL/REDEVELOPMENT AGENCY JOINT MEETING
CONVENING AT 5:30 P.M.**

CALL TO ORDER

The City Council/Redevelopment Agency will convene at 5:30 p.m. in the Council Chambers at 4845 Casa Loma Avenue, Yorba Linda.

ROLL CALL

Council/Agency Members: Anderson, Horton, Rikel, Schwing, Winder
Staff Members: Carvalho, Kelly

CLOSED SESSION

CITY COUNCIL

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Government Code Section 54956.9(a)

Name of Case: Sage Yorba Linda Project LLC et al. v. City of Yorba Linda

Case Number: 30-2008-00108598, Orange County Superior Court

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION,
SIGNIFICANT EXPOSURE TO LITIGATION

Government Code Section 54956.9(b) (1 case)

RECESS

**CITY COUNCIL/REDEVELOPMENT AGENCY JOINT MEETING
RECONVENING AT 6:30 P.M.**

CALL TO ORDER

The City Council/Redevelopment Agency will reconvene at 6:30 p.m. in the Council Chambers at 4845 Casa Loma Avenue, Yorba Linda.

ROLL CALL

Council/Agency Members: Anderson, Horton, Rikel, Schwing, Winder

Staff Members: Carvalho, Conklin, Hartman, Kelly, Leto, Mendoza, Steep, Stowell,
Thiele

PLEDGE OF ALLEGIANCE

INVOCATION

PASTOR CHICO HOLIDAY, CALVARY CHAPEL OF YORBA LINDA

CLOSED SESSION REPORT

INTRODUCTIONS & PRESENTATIONS

UPDATE ON THE IMPERIAL HIGHWAY GRADE SEPARATION BY OCTA

**PUBLIC COMMENTS - ITEMS ON THE CONSENT CALENDAR OR ITEMS NOT ON
THE REMAINDER OF THE AGENDA**

Public Comments is the time reserved on each regular meeting Agenda to provide an opportunity for members of the public to directly address the City Council/Redevelopment Agency on Consent Calendar items or matters of interest to the public concerning the City's/Agency's business or any matter over which the City Council/Redevelopment Agency has jurisdiction that are not already scheduled for consideration on this Agenda. Although the City Council/Redevelopment Agency values your comments, pursuant to the Brown Act, the Council/Redevelopment Agency cannot take any action on items not listed on the posted Agenda, but may refer the matter to staff or a subsequent meeting.

All remarks shall be addressed to the City Council/Redevelopment Agency as a body through the presiding officer and not directly to any member thereof. The City Council/Redevelopment Agency desires its meetings to be conducted in a professional manner respectful of all participants. Therefore, the Mayor/Chairman may ask that speakers refrain from engaging in personal attacks, name-calling, or campaigning on any election issue during their allotted time. However, public criticism of the policies, procedures, programs or services of the City, or of the acts or omissions of the City Council/Redevelopment Agency as a body shall not be prohibited.

Under the Brown Act, members of the Council/Agency may briefly respond to Public Comments, but no extended discussion and no action on such matters may take place.

There is a five (5) minute maximum time limit for each individual addressing the City Council/Redevelopment Agency during Public Comments and on all other items listed on the Agenda. The City Council/Redevelopment Agency will entertain Public Comments up until the time that Public Hearings are scheduled to begin. Any speaker wishing to speak on a matter not posted on this Agenda who was unable to speak during this initial designated Public Comments period will be given an opportunity to speak following the Council's/Agency's completion of the Public Hearing. The Mayor/Chairman may use his or her discretion to select the order of speakers in a manner that ensures that a variety of issues and concerns can be presented during the initial time and he or she may allow for additional comments to be made past the time for the Public Hearings to begin. As a result, in situations where there are multiple speakers wishing to speak on a single topic not on the Agenda, the Mayor/Chairman may ask that one speaker generally describe the issue or matter and then will provide additional speakers the opportunity to speak later on this Agenda.

CONSENT CALENDAR

All matters listed under "CONSENT CALENDAR" are considered by the Council/Redevelopment Agency to be routine and will be enacted by one motion approving the recommendation listed on the Agenda. There will be no separate discussion unless Members of the Council/Agency or Staff request specific items to be removed from the Consent Calendar.

1. WAIVE READING IN FULL OF ALL ORDINANCES AND RESOLUTIONS ON THE AGENDA

Recommendation: That the City Council/Redevelopment Agency waive reading in full of all ordinances and resolutions on the agenda and declare that said titles which appear on the public agenda shall be determined to have been read by title and further reading waived.

2. ACCOUNTS PAYABLE WARRANT LISTS

Recommendation: That the City Council/RDA approve the Accounts Payable Warrant Lists.

3. APPROVAL OF THE MINUTES OF THE JANUARY 13, 2009 ADJOURNED REGULAR CITY COUNCIL MEETING

Recommendation: That the City Council/RDA approve the minutes of the January 13, 2009 adjourned regular City Council joint meeting.

4. APPROVAL OF THE MINUTES OF THE JANUARY 20, 2009 CITY COUNCIL MEETING

Recommendation: That the City Council/RDA approve the minutes of the January 20, 2009 joint meeting.

5. TREASURER'S REPORT FOR DECEMBER 2008

Recommendation: That the City Council receive and file the report.

6. SECOND READING AND ADOPTION OF ORDINANCE NO. 2009-927, ESTABLISHING CITYWIDE POSTED SPEED LIMITS AND RESCINDING ORDINANCE NO. 2007-901

Recommendation: That the City Council provide the second reading and adopt Ordinance No. 2009-927.

7. NOTICE OF COMPLETION FOR THE ESPERANZA LANDSCAPING FROM YORBA LINDA BOULEVARD OVERCROSSING TO HIDDEN HILLS ROAD PROJECT

Recommendation: That the City Council accept the improvements constructed by Yakar, Inc.; authorize the City Clerk to file a Notice of Completion with the County Recorder; and authorize the retention monies to be paid when appropriate to do so.

8. TRAFFIC COMMISSION VACANCY

Recommendation: That the City Council direct the City Clerk to proceed with the regular recruitment process to fill the vacancy on the Traffic Commission created by the resignation of Larry Larsen by advertising the vacancy in the Yorba Linda Star, the Government Access Channel 3 and the City's web page, and set an agreeable date and time for Council to interview the applicants to fill the vacancy on the Traffic Commission.

End of Consent Calendar

MAYOR'S REPORT

MATTERS PRESENTED BY COUNCILMEMBERS

ADMINISTRATIVE REPORTS

9. AWARD OF PROFESSIONAL SERVICES AGREEMENT FOR DESIGN SERVICES FOR THE JOINT USE PARK LOCATED AT THE YORBA LINDA HIGH SCHOOL
10. PROS AND CONS OF LOBBYIST REPRESENTATION AT THE STATE AND FEDERAL LEVELS
11. AUTHORIZATION TO BEGIN THE PROCESS OF REBUILDING THE PARKS DAMAGED BY THE 2008 FREEWAY COMPLEX FIRE AND APPROPRIATION OF FUNDS FOR PERMANENT FENCING
12. REVIEW OF ALTERNATIVE FUEL VEHICLES (ELECTRIC, COMPRESSED NATURAL GAS AND HYBRID GAS-ELECTRIC) AND AUTHORIZATION TO PURCHASE VEHICLES
13. CONSIDER JOINDER IN AMICUS BRIEF IN SUPPORT OF CITY IN CITY OF IRVINE v. SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS APPEAL
14. REQUEST FOR WAIVER OF ADMINISTRATIVE FEE FOR TREE REMOVAL AND REPLACEMENT BEHIND 17240 FREMONT LANE
15. EVALUATION OF LAND USE PUBLIC HEARING NOTIFICATION PROCEDURES

OTHER AGENCY REPORTS AND REFERRALS

ORANGE COUNTY SANITATION DISTRICT

ORANGE COUNTY DIVISION OF THE LEAGUE OF CALIFORNIA CITIES

FOOTHILL/EASTERN TRANSPORTATION CORRIDOR/TRANSPORTATION
CORRIDOR SYSTEM

ORANGE COUNTY FIRE AUTHORITY

ORANGE COUNTY VECTOR CONTROL

OTHER BUSINESS

At 11:00 p.m. any member of the City Council/Redevelopment Agency may make a motion to complete any item then under discussion and continue all remaining items on the Agenda which have not been acted upon to a certain date and time to which the Council/Agency shall adjourn.

16. DISCUSSION RE THE NEED FOR AND POTENTIAL SUBJECTS FOR COUNCIL STUDY SESSIONS/WORKSHOPS (SCHWING)
17. DISCUSSION RE TOWN CENTER AS TO CURRENT STATUS OF STUDIES AND NEAR TERM PROJECTS THAT CAN BE UNDERTAKEN (SCHWING)
18. DISCUSSION RE PROVIDING DIRECTION TO THE CITY ATTORNEY TO DRAFT A CITIZENS FAIR POLITICAL PARTICIPATION ORDINANCE (SCHWING)
19. DISCUSSION RE IMPLEMENTATION OF DEVELOPMENT PROCESSING STUDY (SCHWING)
20. DISCUSSION RE EXPLORING POSSIBILITY OF MERGING THE YORBA LINDA WATER DISTRICT AND CITY OF YORBA LINDA AGENCIES INTO ONE ENTITY (HORTON)
21. DISCUSSION OF DUTIES RE ACTIVITIES AND ACTIONS OF THE CITY'S COMMUNITY PRESERVATION PROGRAM (SCHWING)
22. DISCUSSION RE CONTROL AND/OR PROHIBITIONS OF THE USE OF CELL PHONES IN THE CITY COUNCIL CHAMBERS (HORTON)
23. DISCUSSION RE COMPREHENSIVE COMMISSIONER TRAINING (SCHWING)
24. JOINT MEETING OF ALL AGENCIES TO PRESENT FINAL AFTER ACTION REPORTS (HORTON)

CLOSED SESSION IF REQUIRED

ADJOURNMENT

The meeting will be adjourned to a Special Meeting on February 10, 2009, at 6:00 p.m. to discuss the Town Center Specific Plan.

The next regularly scheduled City Council/Redevelopment Agency Joint Meeting is February 17, 2009.

NOTE: ALL STAFF REPORTS AND RELATED ATTACHMENTS FOR ITEMS ON THIS AGENDA ARE ON FILE IN THE CITY CLERK'S OFFICE AND ARE AVAILABLE FOR PUBLIC INSPECTION AT THE CITY'S LIBRARY. AS AN ADDITIONAL SERVICE, THE CITY NOW PROVIDES THE STAFF REPORTS AND RELATED ATTACHMENTS ON THE CITY'S WEBSITE. PLEASE NOTE THAT IT IS NOT ALWAYS POSSIBLE TO EMBED ALL ATTACHMENTS AND MAPS. THUS, IF YOU REQUIRE A FULL AND COMPLETE COPY OF THE AGENDA PACKET, YOU SHOULD NOT RELY UPON THE WEBSITE MATERIALS ALONE.

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA), THE CITY WILL MAKE EVERY REASONABLE ATTEMPT TO ACCOMMODATE ANY ATTENDEE OR PARTICIPANT AT THIS MEETING NEEDING SPECIAL ASSISTANCE BEYOND WHAT IS NORMALLY PROVIDED. PLEASE CONTACT THE CITY CLERK'S OFFICE AT (714) 961-7150 AT LEAST 48 HOURS PRIOR TO THIS MEETING TO INFORM US OF YOUR PARTICULAR NEEDS AND TO DETERMINE IF ACCOMMODATION IS FEASIBLE. PLEASE ADVISE US AT THE TIME YOU CALL IF SPECIAL ASSISTANCE IS REQUIRED TO ATTEND OR PARTICIPATE IN MEETINGS ON A REGULAR BASIS.